

### REMARKS

The Applicants do not believe that examination of the foregoing amendment will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated January 13, 2005 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-19 stand rejected and Claims 10-13 and 20 are withdrawn by the January 13, 2005 Office Action.

The Office Actions employs "Official Notice nine (9) times. The Applicants disagree with the assertions contained within the Office Action that subject matter addressed by these 9 uses of "Official Notice" is well known. The Applicants, respectfully request that the Examiner produce prior art references that show, disclose or suggest the subject matter addressed by these assertions of "Official Notice".

The abstract of the disclosure has been objected to because of informalities. The foregoing amendment to the specification has corrected this oversight.

The Office Action rejects Claim 20 under the provisions of 37 CFR §1.75(c) as being in improper form because a multiple dependent claim should refer to the claims in the alternative and cannot depend from any other multiple dependent claim. Accordingly, claim 20 has not been further treated on the merits. The foregoing amendment to the claim has corrected this oversight.

The Office Action rejects Claims 1-20 under the provisions of 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The Applicants would like to, respectfully, point out that the foregoing amendment to the claims has corrected each of these oversights.

The Office Action rejects Claims 1, 3, 13-14, 16-17, and 19 under the provisions of 35 U.S.C. §102(a) as being anticipated by an article within C.B.S. Proceedings of the IEEE, Volume: 87, Issue: 7, July 1999, pp. 1267-1276), entitled Copy protection for DVD video", authored by Bloom, J.A.; Cox, I.J.; Kalker, T.; Linnartz, J.-P.M.G.; Miller, M.L.; Traw, (hereinafter referred to as Bloom et al.). The Examiner states that Bloom et

al. teach employing a wobble within a disc that can be detected upon insertion of a disc into a compliant drive to read the payload. The Examiner further states that Bloom et al. teach that only if the transformed wobble bits match the additional watermark payload then playback allowed.

The Examiner's position is that the teaching of Bloom et al. for only if the transformed wobble bits match the additional watermark payload then playback allowed discloses the subject matter for "a second signal logically embedded in the first signal indicating that a physical mark is used for storing at least part of the information on the information carrier, and on the second signal being used for refusing play back of the information read from the information carrier if the second signal but no physical mark is detected." The Applicants can not concur with these contentions contain within the Office Action. The Examiner is reading the wobble within Bloom et al. being the physical mark. The Office Action contains repetitive statements that are recited from Bloom et al. "only if the additional watermark payload and the transformed wobble bits match". The subject matter that is not addressed by the Office Action and is contained in each of the embodiments defined by the rejected claims is the subject matter for "if a second signal but no physical mark is detected". The rejection employs the wobble grove as the physical mark and the second signal. It is therefore, impossible for Bloom et al. to anticipate the rejected claims because the subject matter for the second signal but no physical mark is detected is not disclosed or suggested by Bloom et al. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 1, 3, 13-14, 16-17, and 19 under the provisions of 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,940,134 issued to Wirtz (hereinafter referred to as Wirtz). The Examiner states that Wirtz teaches to check the embedded watermark against the disc's wobble key and reproduce the signal if the authenticity of the signal is acknowledged. The Applicants have amended the rejected claims to define subject matter for the second signal containing a single bit trigger that is not disclosed or suggested by Wirtz. The Applicants, respectfully, submit that these claims are allowable over Wirtz.

The Office Action rejects Claims 1, 3, 5-8, 13-14, 16-17, and 19 under the provisions of 35 U.S.C. §103(a) as being unpatentable over International Publ. No. WO

99/11020 (Glogau et al.) in view of Bloom et al. and further in view Wirtz.

The Examiner further states that Glogau et al. do not teach the first signal in which a second signal is logically embedded, but the Bloom et al. teach this subject matter. The Examiner states that Glogau in view of Wirtz and Bloom teach the linear feedback shift register to form these encrypted packets. The Applicants respectfully, disagree. There is no prima facie case of obviousness made by this rejection. Therefore, this rejection is respectfully traversed.

As previously discussed, Bloom et al. do not disclosed or suggested a second signal logically embedded in the first signal as defined by the rejected claims. Moreover, the amendment made to the rejected claims as discussed above under the rejection based on Wirtz is believed to render this rejection moot.

The Office Action rejects Claim 8 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Glogau et al. in view of Bloom et al. in view of Wirtz and further in view of the article entitled "Applied Cryptogprhy, Protocols Algorithms and Source Code in C", 2<sup>nd</sup> edition, 1996 ISBN; 0471128457 by Bruce Schneier, (hereinafter referred to as Schneier). The Applicants would like to, respectfully, point out that that there is no suggestion within any of the references to make the combination made by the Office Action. The numerous references that have been cited by the Examiner, simply put, do not fit together. The second signal is logically contained within the first signal within encrypted packets. Wirtz does not teach this subject matter and neither do Bloom et al. The Examiner states that Glogau in view of Wirtz and Bloom teach the linear feedback shift register to form these encrypted packets. The Applicants respectfully, disagree. There is no prima facie case of obviousness made by this rejection. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 2, 4, 15, and 18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Bloom et al. in view of Official Notice. As previously discussed Bloom et al. do not disclose or suggest a second signal logically embedded in the first as define by the rejected claims. The Applicants would like to, respectfully, point out that Examiner is attempting to use Office Notice in rejecting claims 2, 4, 15 and 18. The Applicants respectfully submit that it is not well know to place the subject matter defined by the rejected claims on to a CD. The Applicants,

respectfully, request that the Examiner produce a prior art reference that discloses or suggests that it is possible to place the subject matter defined by the rejected claims on a CD.

The Applicants further disagree with the assertion contained within the Office Action that it is well known to place employ a single bit trigger as the second signal. The Applicants, respectfully request that the Examiner produce prior art references that show disclose or suggest the use of a single bit trigger as the second signal in a manner employed by the rejected claims. Therefore, this rejection is respectfully traversed.

The Office Action rejects Claims 2, 4, 9, 15, and 18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Wirtz view of Official Notice. The Applicants would like to, respectfully, point out that Examiner is attempting to use Office Notice in rejecting claims 2, 4, 9, 15 and 18. The Applicants respectfully submit that it is not well know to place the subject matter defined by the rejected claims on to a CD. The Applicants, respectfully, request that the Examiner produce a prior art reference that discloses or suggests that it is possible to place the subject matter defined by the rejected claims on a CD.

The Applicants further disagree with the assertion contained within the Office Action that it is well known to use as the second signal a key selected from at least two groups of keys for encryption. The Applicants, respectfully, request that the Examiner produce a prior art reference that discloses or suggests the use as the second signal a key selected from at least two groups of keys for encryption.

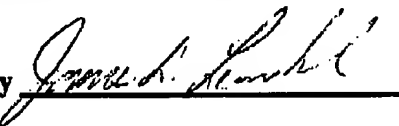
The Applicants further disagree with the assertion contained within the Office Action that it is well known to place employ a single bit trigger as the second signal. The Applicants, respectfully request that the Examiner produce prior art references that show disclose or suggest the use of a single bit trigger as the second signal in a manner employed by the rejected claims.

Therefore, this rejection is respectfully traversed.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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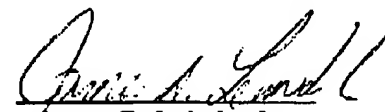
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